DPW

Atty. Docket No. UCIVN-037A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zi et al.

Application No.: 10/817,449

Filed: 04/01/2004

For: Treatment of Bladder and Urinary Tract Cancers

Art Unit: 1623

Examiner: Olson, Eric

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 14, 2006.

By: Nancy V. McElrath

Nancy V. McElrath

RESPONSE TO OFFICE ACTION DATED APRIL 14, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

07/17/2006 NNGUYEN1 00000058 500878 10817449
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Sir:

In response to the Office Action dated April 14, 2006, applicant provisionally elects to prosecute the claims of Group I drawn to methods wherein a compound of Formula I is administered to a subject for treatment of bladder or urinary tract cancer.

Applicant respectfully traverses this restriction requirement on grounds that Group I is too narrowly defined in the office action. Applicant believes that Group 1 should include claims directed to administration of the compounds of Formulae 3A-3C as well as those directed to administration of the compounds of Formula 1. In fact, the compounds of Formulae 3A-3C fall within Formula 1. For example, the Examiner will note that R3 in Formula 1 can be OH and both R2 and R4 can be alkenyl. If the alkenyl group of Formula 1 is a 2 methyl-2-butanyl isopropenyl group, the compounds covered by formulae 3A and 3B will be formed by internal cyclization. The same is true of Formula 3C, if R5 of Formula 1 is OH and R4 is alkenyl. Insertion of this isopropenyl group in a flavinoid or chalcone is established in the literature and is called prenylation. Support for this is found in two (2)

publications cited in the Information Disclosure Statement being filed concurrently with this response. In Miranda, C. L., et al., *Prenylated Chalcones and Flavones as Inducers of Quinone Reductace in Mouce Hepa 1c1c7 Cells*, Cancer Letters, 149, 21-29 (2000), at page 24, compound TP converts to compound DX (cyclizes). Also, the Examiner is directed to Compounds 1 and 10 on page 24 of Han, Ah-Reum, et al., Prenulated Flavonoids From the Heartwood of Artocarpus communis Withg Inhibitory Activity on Lipopolysaccharide-Induced Nitric Oxide Production, J. Nat. Prod., 69, 719-21 (2006).

A two (2) month extension is hereby requested under 37 C.F.R. § 1.136. The Commissioner is authorized to deduct the fee for this extension as well as any other fees properly deemed to be due from Deposit Account 50-0878.

An Information Disclosure Statement is being filed concurrently with this response.

The Examiner is invited to telephone Applicant's undersigned counsel to discuss any further measures that may be taken to facilitate issuance of a Notice of Allowance on this application.

Respectfully submitted,

STOUT, UXA, BUYAN & MULLINS, LLP

Date: July 14, 2006

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